TUNNEL SCHEME DIES HARD

PRESIDENT ORR STILL THINKS IT CAN BE CARRIED THROUGH.

The Rapid Transit Board's Counsel Say Additional Legislation Will Be Required and Mr. Orr Suggests Ways of Dodging the Debt Limit or Failing in That of Having the Road Built by Private Enterprise.

Lewis L. Delafield, Secretary of the Board of Rapid Transit Railroad Commissioners. gare out conies of a portion of the opinion of Elward M. Sliepard and Albert B. Boardman of the present difficulties of the board, to-gether with an explanation of the methods of precoming them proposed by President Alexinder E. Orr. All agree that special legislaion of some form will be necessary to enable the board to proceed with its tunne scheme, and the gist of argument is as to whether such legislation as is desired would be constitutional. The counsel is of the spinion that there is no constitutional limiation upon the power of the county of New York to raise money to build the tunnel railroad if authorized by appropriate legislation. Section 10, Article VIII., of the Constitu-

tion, which provides that "whenever hereafter the boundaries of any city shall become the same as those of a county, the power of that sounty to become indebted shall cease," is held not to apply to New York county, because is boundaries were already coincident with those of New York city at the time of the adopnot of the Constitution, and had been for some time prior thereto, and also because they are not now coincident with the boundaries of the Greater New York city. It is alleged hat this constitutional provision was made solely to cover the admission of Flatlands, the hat remaining town of Kings county, into the eity of Brooklyn, and the proposed amend-ment making the provision broader in its covering power is also cited. The opinion also states that the annexation

of the remainder of West Chester, East Chester, and Pelham by the law of 1885 did not create identity in the boundaries of the county and city, but extended both, already identical, and declares that it may be open to argument whether or not the constitutional limitation did not become inoperative when the Greater New York was created and county and city eessed to be identical.

"In our opinion," concludes this portion of the opinion, "the provision that whenever the boundaries of a city shall become the same as the county boundaries the power of the ounty to become indebted shall cease is not eounty to become indected shall cease is also applicable to the county of New York. In our opinion, the constitutional power of New York county to incur debt will, so far as herefitte ermitted by legislation, continue until the pending constitutional amendment to which we have referred or some other like constitutional amendment shall be adopted.

"If the comparined that the result would, in substance, be to make the debt limit of the county of New York 20 per cent, instead of 10 per cent, the answer is that the Constitution is to be interpreted as meaning what it says, in the case of the East River Savings Institution (136) N. Y., 52) the Court of Appeals decided that the city of Brooklyn, which then constituted all of the county of Kings exceptiour towns, and contained an enormous treponderance in the proportion, perhaps, of 40 to 11 of the population, wealth and assessed reliant of 10 per cent, of its value, and that in addition the county of Kings could incur debt to the limit of 10 per cent, of its value, and that in addition the county of Kings could incur dete to the limit of Area valuation, although its valuation included the Brooklyn valuation. So the town debts and school district debts of any e-sunty would not be included. The Court of Appeals held that the Constitution was to be interpreted according to its text."

Fresident Orris explaination is in part as follows:

"At the meeting on Thursday the Rapid applicable to the county of New York. In

follows:

At the meeting on Thursday the Rapid Transit Board took under careful consideration the situation created by the inability of the entarged city of New York to horrow a sufficient sum of money to construct the rapid public of the manner required by the sufficient sum of money to construct the rapid transit rallroad in the manner required by the meid transit statutes, and as the result of the exterence the Commissioners reached the manimous conclusion that unless the nowers of the board should be enlarged by further isfaltion it would be impossible now, or for many years to come, to presend with the con-struction of the railroad.

sammons conclusion has unless the powers at the board shedid to enlarged by further leadshift in the would be impossible now, or for many years to come, to proceed with the construction of the militard.

Time yources only appear to be open to the board in the presection of the duty with which it is charged. These are a request for legislation making the rapid transit road an asset evaluated by the county of New York to-rounds of Manhattan and the Bronx, and, correstondingly, making the debt incurred for its construction a charge exclusively upon the county; and a request for legislation enabling the liquid Transit lloard, in its discretion, and if, for any reason, construction by the county is found to be impracticable, to frame and sell to private capitalists a charter for the road. Authority to adopt both of these courses, or to adopt either one of them in the discretion of the board, might well be embraced in a single scheme of degislation. But for purp ses of explanation they may be breated as whelly distinct protocitions.

There has indoubtedly been a popular impression that there was a constitutional limitation upon the power of the county of New York to incur a senarate indebtedness in addition to the indebtedness of the city. But counsel has advised the board to the contrary. It would appear, therefore, that the only resource which is available, or which will be available for many years to come, is the borrowing capacity of the county of New York. The Legislature could repeal the provision of the Greater New York charter making the rapid transit road in asset of and a charge upon the greater city, and restore the road to the position originally intended for it and appeared by popular yote, of being an asset of and a charge solely upon the borroughs of Manhatian and the Bronx of being an asset of and a charge solely upon the borroughs of Manhatian and the Bronx in the bounds to provide the cost of the road. The Present debt incurring capacity of New York county, and New York existing on Dec. 31, 1814, an

threedent.
There is reason for relieving the boroughs Brockin, Queens and Richmond of this den, ust as there is reason why the bornes of the second of the boroughs of Manhattan and Bronx. There has never been popular to such municipal construction by the outlies of Brookin, Queens, or Richmond.

sileve that it would never receive such bill to give the Rapid Transit Board the r to create and sell a franchise would be attained simple. Provisions of that sell a franchise would be attained simple. Provisions of that the area already in the Hapid Transit The new bill would need simply to perfect the beard of the sell state of provisions notwithstanding the vote for state construction. This atternative is the board under the law as it as it must, however, be remembered because is to be had to private capital indiffer androad it may quite possibly be sary to enter once more upon the long strensive process of obtaining the construction and the consent of incurrent wholers for the substituted at at the court as well as the consent of incurrent authorities. Moreover, the loss of this latter alternative would inthe abandonment of the entire plan of the strength of the great ultimate benefit which would be this county from the ownership of the Personally. I am therefore opposed intensit shall prove impossible to obtain which the proposed legislation. I can obesse the possibility of further difficulties are the state of the secretary and counter rapid transit is to come, and it will be obtained speed.

Burraone, Md., Dec. 3.-The directors of esteerd and Roanoke Bailroad Company meeting to-day in the office of of stockholders appointed at the restand meeting to examine the affairs of the examination was made by make H is combinate. Lloyd in Jack H is company. Thom, and exonerate M is and the other officials of the company makes made by Mr. Thomas F. Hyan, and conditions approved the report, and passed that is condidence in the management of conty.

BACKTBACK VICT.M MADE WAPPY, THE WAR INVESTIGATION. Judge Moure Orders the 8402 the Police Seized Returned to Ulm.

Judah Rosenthal, who recently gave Charles races, secured the return of his money vesterday in the Third District Municipal Court, Judge W. F. Moore, who awarded the money to Resenthal, advised his lawyer, Joseph Martin, o send him to a nursery.
"That is where the man should be." replied

the lawyer. "He is the greatest 'come-on' I have seen in many a day." At the time that Rosenthal lost his money he had Roberts arrested. The money was found

n Roberts's possession and finally turned over to Property Clerk Harriott at Police Headquarters. Roberts was discharged by a Police Magistrate, who said his court could not take ognizance of the affair.

Rosenthal then instituted suit for the money against Property Clerk Harriott. The case was heard yesterday. Resenthal said that he lived in Montreal. As he was not a citizen, he had to assign his claim to Joseph Bernstein, whose name appeared as complainant in the

"I knew Roberts in Montreal," said Bosen-thal in his testimony. "I used to see him in

"I knew Roberts in Montreal," said Rosenthal in his testimony. "I used to see him in a poolroom there."

"What were you doing in a poolroom in Montreal," asked Judge Moore.

"I was learning how to bet on the races," said Rosenthal, "though I never made a bet there. Roberts came to New York and wrote to me from here saying that he had a dead sure thing, at Aqueduct. He asked me to come down and furnish him money to make a bet. I came to New York and brought \$400. Roberts met me at the Grand Central Station. We had lunch and went to the races. I gave Roberts my money. At the racetrack we separated. After the fourth race Roberts came to me and said:

"It's too bad, old man, but I lost your money on a race."

"I found out that the horse which Roberts was to bet on had not yet run. I asked him to tell me what bookmaker he had lost the money to. He would not tell me, and I had him arrested. The detective found my money in his pockets."

him arrested. The detective found my money in his proceets."

Daniel Noble appeared for Roberts, who was not present. Yudze Moore said that the money clearly belonged to Rosenthal. It had been left at court by Preperty Clerk Harriott, and was turned over to Rosenthal, who went away happy.

"I have found out," said Lawver Martin, "that if Roberts had really bet the money on the horse he named he would have won on a 12 to 1 shot."

MRS. WILMERDING MAY BE FREE.

To Be Discharged, but to Be Under the Eve The commission appointed by Justice Keogh

of the Supreme Court on July 30 to examine into the sanity of Marie F. Wilmerding, and to report whether she should be released from Bloomingdale Asylum, and from the oversight of the committee of her person which put her in the asylum, filed its report at White Plains

We, Eugene B. Travis, Carlos F. MacDonald. "We, Eugene B. Travis, Carlos F. MacDonald.

H. Ernest Schmid, do find from all the testimony submitted to us—a copy of which is transmitted herewith—and from our personal observation and examination of her, that the said Marie F. Wilmerding was insane at the time of her commitment to Bloomingdale, and that, while the regularity of her life at that institution, and wholesome effect of her treatment therein, have produced a marked improvement in her mental and physical condition, the commission, the medical members of which have made several careful personal examinations of her, the last one on Nov. 25, 1808, is of the opinion that the said Marie F. Wilmerding is not fully recovered, although it believes that the improvement in her mental condition has progressed to a degree which renders her detention in Bloomingdale no longer necessary, and it would therefore respectfully recommend that the said Marie F. Wilmerding be released on parole, pursuant to the status and regulations thereunder in such case made and provided, thus affording her an opportunity to demonstrate the capacity for self-control which she feels she now possesses."

Mr. Travis, who is a lawyer of Feekskill, said to-day that the ordinary course of events now will be that Justice Keogh will issue an order at the seasion of the court on Monday that will provide for Mrs. Wilmerdings release from Bloomingdale Asylum in the custody of an attendant. The law provides, Mr. Travis say, that if, after a reasonable time, Mrs. Wilmerding seems to be able to take care of herself, she shall be entirely free. H. Ernest Schmid, do find from all the testi-

SONS OF THE REVOLUTION.

Their Annual Meeting Held Last Evening and New Officers Elected.

The Sons of the Revolution held their annual neeting at Delmonico's last evening and elected these officers: President, Frederick Warner Hoppin: Secretary, Alexander Ramsay Thompson; Treasurer, Arthur Melvin Hatch; Registrar, Henry Phelps Johnston; Chaplain, the Rev. Brockholst Morgan; Board of Managers, Fellowes Davis, Henry Denison Babcock, John G. Flovd, George C. Holt, Augustine Banks, Charles R. Henderson, Philip Livingston, Charles Hornblower Woodruff, Robert Olyphant, John Hone, and John M. Bowers.

The society during the year presented United States flags and regimental colors to thirteen regiments; United States flags, jacks, and pennants to four detachments of the naval reserves; guidons to two troops of cavalry, and battary flags to three batteries.

By resolution the President was directed to appoint a committee of ten members to arrange for memorial services to be held on Dec. 14, 1840, in commemoration of the centennial anniversary of the death of George Washington. Thompson; Treasurer, Arthur Melvin Hatch;

FOUND DEAD IN A SNOWBANK. Hotel Keeper Murphy Thrown from His

Sleigh and Frozen to Death. EAST WILLISTON, L. I., Dec. 3.-John H. Mur-

phy, proprietor of a hotel at Greenvale, was found dead in a snowbank on the road near here early this morning by John Gorman and John Rooney, two laboring men, who were on John Rooney, two laboring men, who were on their way to work. Mr. Murphy left the hotel yesterday afternoon to take a sleigh ride with a friend. He left the friend at the railroad station here early in the evening, and was not seen alive again. The horse and sleigh were the body was discovered. The body was found at a point where the main road to Roslyn had been straightened, and the tracks in the snow indicated that Mr. Murphy must have tried to follow the old line of the road, and in doing so his sleigh struck the end of a fence post and overturned, throwing him out. He struck on his head, apparently, and became unconscious, and died from the effects of the cold. The body was sent to the residence of Josiah L. Pearsall at Roslyn, who is a relative of the dead man.

BRITISH LABOR MEN ARRIVE.

They Advocate International Co-operation in Case of Large Strikes.

William Inskip and William Thorn, the fraternal delegates from the British Trades Upion Congress to the coming convention of the American Federation of Labor, arrived yesterday on the Campania. They were met at the pier by President Gompers of the A.F. of L. pier by President Gompers of the A. F. of L. and a delegation of labor men. Delegate Thorn did the talking, as Delegate Inskip, who was seasick nearly all the way across the ocean, had not completely recovered. He said that they had come to this country as representatives of 1,225,000 English tudes unionists to urge the formation of an international union, Labor, le said, was commanding increased pay on the other side, and no strikes of any magnitude existed there at present. He is in favor of American and English trades unlong co-operating in case of big strikes.

Business Troubles.

The Manhatian Concrete Company of 15d Fifth avenue has made an assignment to Henry Fridenberg. Liabilities are \$60,000, with ctual assets said to be about as much.
Francis X. Fallon F. X. Fallon & Co., dealer a sponges and chamois, at 451 and 4-3 Pearlitteet, made an assignment yesterday to John & Sharida

in aponges and chamois, at 401 and 4 10 and 3 10 are street, made an assignment vestered at 0 oin P. Sheridan.

The Sheriff has received two executions against Bobert L. Reade of 62 William street for \$12,967 in favor of James M. and Robert T. Varnum as trustees for Mery Falkland.

Lyons, N. Y., Dec. 3.—The Wharff Pharmaceutical Comeany made a general assignment for the benefit of creditors to Dr. Andrew F. Sheldon to-day. It was incorporated June 27, 1898, to manufacture and sell pharmaceutical preparations and physicians' supplies with a capital of \$6,000, commencing with \$3,200. No schedules are filed and no preferences made. Stockholders say the assets are double the limilities, and that business will be immediately resumed.

Judgment of foreclosure and sale were granted formelius J. Ryan, Jr., to-day, against John J. Bockee and others directing the sale of the Wat you Rullfing Company's mills at Waterloo, N. Y., upon two mortgages aggregating \$78,000.

"Ale" arna andiment. Clair et brillant comme le Champagne. E ans .-- Adv.

CAPT. MEMAY SAYS THE TRANSPORTS

WERE ALL RIGHT. He Superintended the Embarkation of Treops at Sautisgo, and Admits That the Seneca Was Overgrowded-Why We Didu's Get Plans of Porto Rico Forts.

WASHINGTON, Dec. 3.—The War Investigating Commission resumed its session this morning. Capt. McKny, whose examination was not concluded yesterday, continued his testimony about the embarkation of troops at Tamps and the disembarkation in Cuba. He said that he superintended the embarkation of the troops at Santiago for the trip North, and saw each vessel that left with soldiers to come home. The men were not all embarked at San tiago, but all boats leaving there were in spected except the Concho, which took sick on board at Siboney. There was a full supply of ice for all transports. The criticism of th Allegheny he pronounced unjust. It was, in his opinion, one of the best ventilated ships in the transport service. Referring to the Sen-ces, on which vessel he came North, he said it was so crowded that some of the men lar on the decks. She had see for only two days. The sick had been put on board at Siboney. There were two contract surgeons on board. He did not see the steward of the vessel sell delieacles to the sick. He had a storeroom and sold beer to the officers, but he did not believe canned fruits or such articles were sold. One reason why fee gave out on some of the transports before reaching Montank was that there was not room for all the ice needed. He denied that Col. Pope of the Medical Department had ever applied to him for transportation for

medical supplies.
"I never saw Col. Pope from the day I ar There would have been no trouble in getting

"I never saw Col. Fore from the day I arrived at Sentisgo to the day I lett." he said.
"There would have been no trouble in getting medical supplies ashore had application been made to me. It could have been accomplished without delay."

"Did the medical officers know that you had charge of this work?" he was asked.

"I don't see why they did not. Dr. Pope knew it, because when we first arrived he consulted me about a bospital ship and I showed him the Olivette. My position was known to Major Jacobs."

Gen. Wilson—Did you have ample time to get the transports all loaded at Tampa for the Outban expedition? A.—There was considerable hurrying toward the last.

Q.—Why? A.—Well, the Admiral was wiring about the expedition, and orders were being received constantly to hurry it up.

Q.—Where did you get your information? A.—From talking with Col. Humphrey.

In concluding Capt. McKay said he considered the expedition well provided for at Tampa and that all possible provision had been made for the debarkation in Cuba.

Capt. Getties.

Capt. Gettie

witness examined. He denied that the hat submitted by Mr. Knox was superior to the sample accepted by the department. All experts agreed that the hats accepted were superior. Seven experts were invited at different times to pick out of a bunch the three best hats. Not one of them picked out a Ksox hat, he said. In fact, it would not require an expert to tell the difference.

Col. Moore testified regarding conditions at Montauk, saying that there was a surplus of ambulances that were not called for. Surgeons did not call for the ambulances. Thirty ambulances remained in the corral unused.

Ex-Gov. Woodbury said that a witness from the Medical Department had sworn that every effort was made to get ambulances. Now you tell us, he added, that there were more ambulances at Montauk than were asked for. I have no doubt both of you are telling the truth, but I would like to understand the situation."

ambulances at Montauk than were asked for. I have no doubt both of you are teiling the truth, but I would like to understand the situation."

Gen. Beaver suggested that probably the two wirnesses spoke of different periods.

"That is it," supplemented Col. Moore.

Col. Moore told the commission that there is much difference of opinion as to the proper clothing for the soldiers to wear in Cuba. The question is being considered now, he said, but the department commander differs in opinion with a board of officers appointed to report on a suitable uniform.

Information was next furnished the commission about the Plant system charges at Tampa, Col. Moore having been sent there to make an investigation and look after the interest of the Government. In the short time he stayed at Tampa, he said, he was able to save the Government about \$100,000. One bill alone he reduced \$22,450. This was just about one-half the original cost. The Plant charge for bringing water in one case was one cent per gallon. This he reduced to one-half a cent. The wharfage on coal was reduced from 25 cents to 20 cents per ton. A similar reduction was made on the wharfage for horses. The Plant Commany made a charge of 10 cents per man for wharfage, but upon protest by Col. Moore the entire charge was eliminated. At Tampa all water used by the troops had to be paid for by the Government. This was not true in all the cities. No charge was made in New Orleans.

This concluded the examination of witnesses, and the commission held an executive session to discuss several reports now under consideration. Owing to the great number of witnesses yet to be examined, it is not believed the commission's labors will be concluded until after the adjournment of the coming session of tongress. The commission of the preports from the heads of the War Department bursaus, and much time has to be devoted to this work. Col. Roose well's suggestion that his report of the conditions in Cuba he considered has not been overlooked, and it was said to-day by a member that

The Brooklyn to Join the Squadron in Hampton Roads.

Orders have been received at the navy yard n Brooklyn from Washington directing Capt. cook to have the cruiser Brooklyn, of which he is the commander, put in immediate readiness to sail for Hampton Roads to join in the manucuves of the North Atlantic squadron. The Brooklyn has been completely overhadied during her six weeks stay at the yard, and all traces of the wounds she received while aiding in the destruction of Cervera's flesh have disappeared. She will probably sail for Hampton Hoaris to-morrow. Cook to have the cruiser Brooklyn, of which he

Gen. Shafter to Beview the Twenty-third Regiment.

Gen. William R. Shafter will have a busy night in Brooklyn on Dec 12. He will first review the Twenty-third Regiment in the Bedford avenue armory and then hold a reception in the Council room. At the close of the military corrocipes, Gen. Shatter and his ataff will be entertained at the Union League Ciub. LEE TO SAIL ON NEXT WEDNESDAY. With Part of His Corps He Is Expected to Leave for Havana.

SAVANNAH, Ga., Dec. 3 .- The movement of the American troops upon the city of Havana, Cuba. will begin on Wednesday of next week. Major-Gen. Fitshugh Lee, commanding the Beventh Army Corps, and his staff will leave Savannah upon a United States transport then. This should put them in Havana not later than next Baturday. Gen. Lee and his staff will prohably leave on the transport Panama, now in port. The troops of the Second Division of the corps and he hospital force of the corps, with the Signal Corps, will depart from Savannah on the transports Mobile, Michigan and Roumanian. The Michigan is in port now and the other two vessels will arrive on Monday or Tuesday.

The 202d New York Regiment, United States

Folunteers, arrived in Savannah to-night from the camp at Athens. They will leave to-morrow or Monday on the transport Minnewaska for Pinar del Bio, Cuba. The regiment is com-

row or Monday on the transport Minnewaska for Pinar del Rio, Cuba. The regiment is commanded by Col. Stephen Y. Seyburn. The Minnewaska is being loaded with a lot of supplies for the troops.

Gen. Lee has ordered a general review of all troops here on next Tuenday afternoon. There will be nearly 17,000 men in line and the review will be the largest held in the South sines Gen. Breckinridge reviewed the troops at Chickamauga. Besides the troops in Gen. Lee's corps there are now in Savannah almost all the batteries of the Second United States Artillery, a regiment of Maine artillery and the Third Georgia Regiment of volunteer infantry, two batteries of the Third Artillery, one from the Fourth and one from the Fifth. Brig. Gen. Warren Keifer will command the troops upon the occasion of the review.

The departure of Gen. Lee will cause much regret in Savannah. It was expected that upon the arrival of President McKinleyi Vice-President's Cabinet in Savannah on Dec. 17, there would be a corps review, with Gen. Lee in command, to be followed by a public reception and dinner. At best now there can only be a division of troops for the Present. A banquet is being prepared in honor of the President when he arrives. He will be welcomed by the Mayor of the city and the Governor of Georgia, who will make addresses.

MAJOR-GEN. HOE'S APPOINTMENTS. Lieut.-Col. Thurston Inspector of Small

Major-Gen. Charles F. Roe, commanding the National Guard of the State of New York, made the following appointments yesterday for his staff under the provisions of the new Military Brig.-Gen. Edward M. Hoffman, the present

Inspector-General, has been appointed In-spector, with the rank of Colonel. Col. William Cary Sanger, the present Assistant Chief of Artillery, has been appointed Assistant Inspector, with rank of Lieutenant-

Lieut.-Col. Nathaniel B. Thurston of the Twenty-second Regiment has been appointed Twenty-second Regiment has been appointed inspector of Small Arms Prageice and Ordinance Officer, with rank of Lieutenant-Colonel.

Brig.-Gen. William M. Rirby, the present-General inspector of Rifle Practice, has been appointed Assistant Inspector of Small Arms Practice, with rank of Major.

Lieut-Col. Thurston and Major, Rirby will divide the State between them. Major Rirby taking the upper portion and Lieut-Col. Thurston the lower. The newly appointed officers will not assume their duties on Gen. Roe's staff until Jan. 1. The posts all earry salaries.

Roe's staff until Jah. I. The posts at early salaries.

Lieut.-Col. Thurston is the only New York city officer honored by Gen. Roe's appointment. He has been instructor of guard duty at State camp for many years, and is a recognized authority on the subject. He has made a study of rifle practice, and is beside one of the most skilful shots in the State.

ARMY REORGANIZATION.

Proposed Separate Bureau of Water Transportation in the Q. M. Department. WARRINGTON Dec 3 -- Under the fortherm. ing plan of army reorganization it has been practically decided to keep the water transportation branch of the Quartermaster's Department distinct from the other business of that staff. The Navy Department believes that army transportation on the ocean should be given over to the charge of the navy, but there thority will be given for such a change. The proposition which seems likely to proposition which seems likely to secure favorable action is to form a separate bureau of water transportation in the Quartermaster's Department liself and to establish two ports as subordinate to the headquarters of the service. It is proposed that one of these ports be New York and the other San Francisco, with a detail of officers at each place. An official not lower in rank than Colonel is to be placed in general charge of the bureau. Lieut.-Col. Frank Hecker of the volunteer service would probably be assigned to this duty if he would accept it, which is considered doubtful.

Sick Soldiers to Be Transferred from Phil-

adelphia to the Fort Myer Hospital. WASHINGTON, Dec. 3 .- A number of soldiers to the general military hospital at Fort Myer. Va., opposite Washington, immediately. For the purpose of transporting these soldiers the railway hospital train which was used in transrallway hospital train which was used in transporting the sick soldiers during the war from the camps to general hospitals was sent from here to Philadelphia to-day. This hospital train has during the war carried from 3,000 to 4,000 men, and so far as the Medical Department knows no complaint has been made in regard to the accommodations provided for the soldiers. The train is in charge of Major Charles Richards and Capt. H. A. Shaw of the Medical Corps of the army.

More Supplies for the Sufferers in Cubs. WASHINGTON, Dec. 3.-The Commission. General received word to-day that the steamer Comal was about to leave New York for Savannan, where subsistence supplies would be taken aboard for the relief of the suffering potaken aboard for the relief of the suffering poor in Cuba. It is stated at the War Department that the destination of the vessei has not yet been definitely settled, but the supplies will probably be carried to some point in Havana province. About 1,500,000 rations will constitute the cargo. The relief work in Santa Clara province is progressing favorably, according to the advices received at the War Department.



Mr. Frank A. Startz, of Fayetteville, Fayette Co., Texas, writes in a letter to Dr. Pierce: "It affords me pleasure to testify to the remarkable curative power of Dr. Pierce's Golden Medical Discovery. I was severely afflicted with trouble in my lungs—spitting up blood, and was so weak I was unable to continue my work. I tried several remedies which gave me no relief, and I had commenced to think there was no hope for me. Dr. Pierce's Golden Medical Discovery was recommended to me so I tried it and began to improve at once, and was soon able to restume work. I consider it a wonderful medicine."

Every man who wants to save doctor's bills should send 2t one-cent stamps, the cost of mailing only, to Dr. R. V. Pierce, huffalo, N. Y., for a copy of his 1000 page illustrated book, "Common Sense Medical Adviser," in paper covers; or 3t stamps for cloth-bound copy.

OPEN EVENINGS DECEMBER.



OPEN EVENINGS IN DECEMBER.

DEPENDABLE CHRISTMAS JEWELRY.

A gift purchased from us is always dependable.

We do not sell the kind of jewelry that proves "shoddy" in a few months' wear-not at any price We do sell low-priced, economical jewelry-every article guaranteed.

Because jewelry is honest and substantial, it does not mean that the same must be high-priced. Our stock includes thousands of modest but lasting gifts that cost no more than unreliable gifts. Here are just a few medium-priced but meritorious articles that you are invited to inspect:

Rings for Men.



Solid 14-karat Gold

Solid 14-karat Gold

\$20.00 \$25.00 At \$20-A fine extra heavy Solid Gold

Encrusted Initial Ring, with 10 Diamonds, At \$8-A Solid Gold Raised Initial Ring. extra heavy. At \$2.75-A Boy's Solid Gold Initial

Solid 14-Karat Gold Watches for Men.



Solid 14-Karat Gold Watch, Waltham or Elgin Works.

At \$30-A Solid 14-karat Gold Engraved Watch, Waltham or Elgin Works. From \$30 to \$50-An immense as

sortment of Solid 14-karat Gold Watches, Waltham or Elgin Works.

From \$50 to \$150-A large variety

open face, finely adjusted and full jewelled.

Rings for Women.



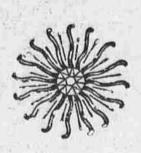


\$30.00 \$35.00

At \$15-A Solid Gold Cluster Ring, Ruby. Turquoise or Sapphire Centre. At \$12-A Solid Gold 5-Stone Ring, 2

Fine Diamonds, 3 Colored Stones.

Pendants.



Solid 14-karat Gold Polished Brooch At \$65-A Fine Solid 14-karat Gold Brooch, studded with Pearls, and 7 Fine Dia-

Brooch or Pendant, 7 Fine, Large Diamonds.



Bolid 14-karat Gold

Ring, Fine Diamond and \$40.00

\$50,00 At \$37.50-A Solid 14-karat Gold Bing. Fine Diamond, Olivine and Opal Cluster.

Solid 14-Karat Gold Watches for Women.

At \$25-A Solid 14-karat Gold Hoop Bing,



Solid 14-Karat Gold Watch, Waltham or Elete Works.

At \$25-A finely polished or Roman Solid 14-karat Gold Watch, with Fine Diamond in front, Waltham or Elgin Works.

At \$35-A handsomely chased and engraved Solid 14-karat Gold Watch, Fine Dia-mond in centre, Waltham, Elgin or Lambert's Works.

At \$50-An extra heavy engraved case Solid 14-karat Gold, Fine Diamond in centre, Waltham, Elgin or Lambert's Works.

Postal Us for Our Handsome Gift Book.

LAMBERT BROS.,

"Christmas Corner."

TWELVE LIVES SACRIFICED. No Lookout to Save the Laborers Run Down

by a Train on Nov. 18. Coroner Delaney and a jury on Friday night investigated the accident which occurred on the Pennsylvania Railrond just west of Jersey City, on Nov. 18, when a gang of laborers were run down in a fog by a train from Millstone,

run down in a fog by a train from Millstone, and twelve of them killed. The inquest was held in the case of Michael Lawless, one of the laborers. Foreman William Quirk stated at the time of the accident that he had sent a laborer named Dougherty about sixty feet up the track to look out for incoming trains. Dougherty was killed.

Ernest Hoffman, one of the laborers who escaped testified at the inquest that Dougherty had not been sent up the track. He said that he and Dougherty were working together and that Dougherty were working together and that Dougherty were working together and that Dougherty were working together she where they were working. The witness escaped because he stepped over to the other side to get an adize. The locomotive flung Dougherty's body over against him and knocked him down.

The jury returned this verdict: "We, the jury, find that Michael Lawless came to his death on Nov. 18 because of neglect on the part of one or more employees of the Pennsylvania Bailroad Company."

Private Lindsay's Death Sentence Now Be-

WASHINGTON, Dec. 3 .- The case of Private Lindsay, Troop F, Tenth Cavalry, who was sentenced to death after, a court-martial trial, has been laid before the President for further action. Lindsay, who is a colored man, killed one of his measurates at Huntsville, Ala., about ten days ago. The sentence was approved by Gen. Wheeler, but the execution, according to the articles of war, cannot take place unless President McKinley signs the death warrant and sets the time of punishment.

Essex, Commander Frank Courtis, sailed this Essex, Commander Frank Courtis, salied this morning with a crew of apprentice boys on a six months' cruise in southern waters. The itinerary is: Arrive at Barbados, Dec. 23; Trinidad, Dec. 31; St. Vincent, Jan. 24; St. Kitts, Feb. 1; St. Thomas, Feb. 16; Han Juan, Porto Rico, Feb. 27; La Guayra, Venezuela, March 12; Curacoa, March 18; Ringston, Jamaica, March 29; Havana, April 14; Port Royal, S. C., May 1; Newport, June 1.

terday from San Juan, Porto Bico, were Major H. C.Barthman and Capt. E. J. Olden of the For-ty-seventh Infantry. Capt. L. D. Greene, Lieut. W. B. Boog, Seventh Infantry: First Lieut. J. W. Cox. assistant surgeon Sixth Immunes, and First Lieut. George M. Whitson, Sixth Immunes.

Gen. Wheeler to Attend the Opening of Congress.

Wheeler loft this afternoon for Washington to

binations.

Fur Lined Overcoats, Robes, Mounted Rugs and Coachman Outfits.

GRIDIEON CLUB'S DINNER. The President and Cabinet and Other Distinguished Guests Attend.

WASHINGTON, Dec. 3.-The Gridiron Club gave its first dinner of the season at the Arlington to-night. Owing to the presence of a long list of distinguished guests, the affair assumed the proportions of one of the annual dinners for which the club is famous. Many speeches were made and a programme of music and funmaking characteristic of the club was most successfully carried out. Among the 116 guests present, in addition to nearly all of the forty members of the ciub, were President McKinley, Vice-President Hobart and all the he Cabinet except Bliss and Alger, President Iglesias of Costa
Rica, the Joint High Commissioners from England and Canada, the Hon, John W. Foster, the
Hon. T. Jefferson Coolidge of Boston, Gens.
Miles, Shafter, Lawton, Corbin, Breckinridge,
Schotled, Stanton, Fgan, Dodge, and Ludington;
Gen. Calixto Garcia of the Cuban Army; Rear
Admiral Schley, Capt. Sigsbee, and Capt. Royal
B. Braiford of the navy; Col. Heywood, commandant of the Marine Corps; Capt. Arthur
Paget of the royal navy, Charles H. Cramp, the
Hon. Nelson Dingley, Senators Cullom, Faulkner, Shoun, and Fairbanks; the Hon. R. Hitt,
the Hon. Henry Cabot Lodge, Assistant Secretary of State Hill, Assistant Secretary of War
Meiklejohn. Commissioner of Pensions Evans,
Comptroller of the Currency Dawes, Gen. Mertwago of the Ruesiau Embassy, Prof. Henry S.
Pritchett and O.H. Tittmann of the United States
Coast Survey, Secretary Porter, Gonzalo de
Quesada of the Cuban Legation, Edward Rosewater of Omaha, A. C. Raymond of Debroit, J.
Henry Carson of New York, John Russell
Young, Librarian of Congress; Brig.-Gen.
Harries of the District of Columbia National
Guard, Major-Gen. Creighton Webb, United
States Volunteers of New York, and Joseph
Leiter of Chicago. Bliss and Alger, President Iglesias of Costa

Washington Notes. WASHINGTON, Dec. 3 .- President Iglesias of Costa Rica will leave Washington to-me 11 o'clock for West Point, to visit the United States Military Academy. He will be accom-panied by Lieut.-Col. Carter, U. S. A., the officer detailed to attend the visitor during his

stay in this country. War Department has issued an official eircular granting commutation of rations to female nurses employed in general and other hospitals. When on leave the rate of commutation is the same as that allowed enlisted men on furlough.

Cant. Henry Glass, whose detachment from the command of the Charleston at Manila was announced to-day, has been placed in command of the new naval training station on Yerba Buena Island, San Francisco Bay. The old man-of-war Pensacola will be towed to Yerba Buena for use as a stationary training ship.

These officers who were commissioned for the war have been honorably discharged from the naval service: Licut. Junior grade) it B. Howell, Ensigns E. Lind and G. H. Mather and Assistant Paymaster A. Brywn. circular granting commutation of rations to

the naval service: Licut, (junior grade) R B. Howell, Ensigns E. Lind and G. H. Mather and Assistant Paymaster A. Brown.

Naval officers are probibited by law from bringing dutiable articles in their baggage from foreign countries on naval vessels, but the law is slient regarding the baggage of army officers. The question having arisen over the seizure of dutiable articles in the baggage of an army officer, the Treasury Department has issued a circular permitting the importation of dutiable articles by army officers on payment of the customary duties.

Harrison H. Mason of Brooklyn has been debarred from further practice before the Interior Department for demanding and receiving illegal fees in connection with six pension cases.

Walter V. R. Berry, attorney at law, of the firm of Berry & Miner of this city, has just been honored by the King of Italy, who has conferred upon him the Cross of Chevalier of the Order of the Boyal Crown of Italy, in recognition of eminent legal services rendered to the Italian Embassy at Washington.

OFFICIAL FOTE IN KINGS COUNTY. Van Wyck's Plurality 18,382-Only a Slight Change from The Sun's Figures.

The official canvass of the vote for Governor in Kings county has been completed, and these are the figures: Van Wyck (Dem.), 101,203;

are the figures: Van Wyck (Dem.), 101,203: Roosevelt (Bep.), 82,821; Hanford (Sec. and L. U.), 4145; Klein (Pro.), 382; Bacon (Cits', Union), 272.

Yan Wyck's plurality, 18,382.
In the first edition of The Sun on the morning after election the figures were given by wards, with a few districts missing and eximated, and the totals were; Van Wyck, 101,106; Roosevelt, 82,470, giving Van Wyck a plurality of 18,037, which differs by only 245 from the official count. Not one of the other morning batters attempted to present the vote by wards nor did one of them give the vote within 1,000 as accurately as THE SUN.

Woodruff a vote for Liquienant-Governor ran behind that for Roosevelt by 1,234.

COLOMBIA AND THE PANAMA CANAL The House Rejects a Petition to Extend the

WASHINGTON, Dec. 3.—The State Department received advices to-day from Consul Hart at Bogota that the House of Representatives of Colombia had rejected the petition of the Pan-ama Canal Company to extend for six years the time for completing the work on the canal. This information is particularly interesting at this time on account of overtures made to this Government by representatives of the Panama Company, having as their object the with-drawal of American support to the Nic-aragua Canal project. The Panama Company representatives have offered to furnish a guarantee that their project will be comrepresentatives have offered to furnish a guarantee that their project will be completed within six years if the United States will not throw their influence with the Nicargua Canal. It is shown by Consul Hart's report that the rejection of the Panama Company's request for an extension of the time limit will not conflict with the company's offer to complete the canal in six years if this Government will agree to its conditions, as the charter of the canal provides that the time within which work must be completed shall not expire until six years from now. The rejection of the canal company's request is not final, as action must be taken on it by the Senate before it can be effective.

Jack Hopper Dies Suddenly. John Hopper, who was once a lightweight primefighter, died suddenly last night at his home at 134 Christopher street. He had been employed recently as a day laborer.

BRACES BODY AND BRAIN.

What Mariani Wine Does to Soothe Strengthen and Sustain the System.

Vin Mariani (Mariani Wine) is recommended as a tonic by the medical profession all over the world. It has received written recommendations from more than 8,000 American physi-Mariani Wine soothes, strengthens and sustains the system and braces body and brain.

as the conqueror of disease and the promoter of health and longevity. Mariani Wine is specially indicated for malaria, fever and ague and all miasmatic fevers. It promptly dispels chills, abates malarial fever.

It gives strength; therefore may it be described

and gives a sense of buoyancy and vigor. Mariani Wine is furthermore of especial value in cases of Keuralgia, Nervous Debility, Muscular Relaxation, Mental and Physical Depression and Exhaustion, Overwork or Overstrain. Insomnia, Headache, Nervous Dyspepsia, Loss of Appetite, Emaciation and Consumption. It builds up the vital forces and is a powerful rejuvenator. It gives strength to the nervous system, firmness and elasticity to the muscles,

and richness to the blood. It benefits all. Mariani Wine is palatable and suited to the most delicate stomachs. In the cases of pale, pung, sickly children it is invariably used with

great benefit. For overworked men and delicate women

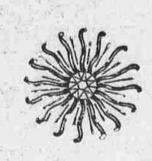
Mariani Wine works wonders. Mariani Wine is sold by all Druggists. Try it and you will find that it will well sustain its reputation. One word of caution, howeverlet no representation or explanation induce you to accept a substitute. "Just as good" usually

To every one writing to Mariani & Co., 52 West 15th Street, New York City, will be sent, free, if this paper is mentioned, an interesting little book containing portraits and autographs of Emperors, Empress, Princes, Cardinals, Archbishops and other distinguished person-



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At \$5-A Solid Gold Diamond Ring-fancy Fine Diamond Brooches and



monds in centre. At \$90-A Fine Solid 14-karat Gold

of Cases and Movements, both hunting and At \$125-A Fine Diamond Harvest Moon,

Third Ave., Cor. 58th St., N. Y.

Training Ship Essex Sails. NEWPORT, R. I., Dec. 3,-The training ship

Passengers from San Juan, Porto Rico. Among the passengers on the United States transport Rita, Capt. Laffin, which arrived yes-

HUNTSVILLE, Ala., Dec. 3.-Gen. Joseph be present at the opening of Congress. To-day, in his honor, the First Division, commanded by Major-Gen. Chaffee, gave him a marching salute.

Geo. F. C. Booss, IMPORTER AND MAKER OF

sian Coats, with Sable Mink and Chinchilla com-A Complete Assortment of Muffs and small furs in Russian Sable, Silver Fox,

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